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Federal Aviation Administration  
Office of Rulemaking  
ARM-1  
800 Independence Avenue, SW  
Washington, D.C. 20591

March 7, 2002

Re: Comments pertaining to options for enhancing the security of small civil aircraft  
Docket FAA-2001-11032 - 33

Cape Air Operations and Security

Cape Air is a Massachusetts-based carrier certificated under 14 CFR Part 135. We provide service from Cape Cod and the islands of Martha's Vineyard and Nantucket to Boston, New Bedford and Providence. We also provide service in Southern Florida, and between Puerto Rico and the US and British Virgin Islands. In 2001, Cape Air flew 565,000 passengers. With 48 nine-passenger Cessna 402's, we operate the largest fleet of this type of aircraft in commercial service. Cape Air employs 500 people who also share in ownership of the company through an Employee Stock Ownership Program.

As with all commercial air carriers, Cape Air's operating environment was permanently changed by the events of September 11<sup>th</sup>. However, we continue to believe that the security risk that one of our aircraft will be used as a weapon is probably negligible, and no greater than the likelihood that a bus or a general aviation aircraft would be used for that purpose. Cessna 402's weigh less than 9,000 pounds, and have a cruise speed of approximately 160 miles per hour. Our aircraft can carry a maximum of 200 gallons of fuel, and usually carry less than 100 gallons. These characteristics limit the effectiveness of a Cessna 402 to perform as a weapon. Far more destruction could be achieved more easily by loading a general aviation aircraft operating under 14 CFR Part 91 with explosives.

Nevertheless, we understand and support the intent of Public Law 107-71 and, prior to the enactment of the law, voluntarily undertook the initiatives to enhance the security of our passengers, employees and aircraft. We have implemented security procedures far in excess of our regulatory requirements, and have conducted security training for approximately two hundred employees. We believe that these voluntary measures have significantly enhanced the security of our operations and, by extension, the operations of aircraft and airports to which we provide feeder service.

We understand the need to explore all feasible alternatives to enhancing the security of small nine-passenger aircraft. We appreciate the opportunity to share our operating experience through comments on the following proposed security enhancement options.

#### Removing the right front seat adjacent to the pilot

Our primary comment on the option of removing the right front seat adjacent to the pilot is that it would not ensure against an attempt by a passenger to overtake the pilot and gain control of the aircraft. Security screening of passengers prior to boarding, coupled with in-house procedures for pilot selection of passengers who are allowed to sit in the right front seat, in our view, provide a more effective approach to managing risks associated with an open cockpit.

#### Securing the cockpit to prevent intrusion

We are not aware that the structural feasibility of securing the cockpit of a Cessna 402 has been established. Cessna 402's do not have a bulkhead to which a door may be affixed. Other factors would need to be addressed in the design of the retrofit. One is the need to replace the loss of passenger and pilot egress lost by securing the cockpit. The other is the need to provide a means for the pilot – who is the sole crewmember on a Cessna 402 – to maintain spontaneous communication with passengers, particularly in the event of an emergency situation.

Even if it is structurally feasible, the cost of retrofitting and operating aircraft with a secure cockpit door, coupled with a 33 percent loss in revenue seats, would be economically ruinous and would put Cape Air and other carriers out of business. If, as stated above, the security risk of a Cessna 402 being used as a weapon is extremely small, then the benefits of securing the cockpit would also be extremely small. We question whether the marginal security benefit of this requirement would be sufficient to justify to the economic impact on carriers and the potential loss of service to communities.

Cape Air's low fares coupled with a small number of revenue seats per operation would make it impossible for us to recoup the costs of retrofitting and the associated lost passenger revenue, even with subsidies to cover the cost of retrofitting. The costs associated with retrofitting and lost passenger revenues could be workable for larger aircraft, and would result in a greater risk reduction benefit. However, the seasonal and short-haul characteristics of the markets we serve make the use of larger aircraft economically unfeasible.

#### Protect Against Aircraft Being Taken

The airports where Cape Air operates and maintains aircraft are secure airports. However, we do feel that additional measures such as propeller locks could be considered to further ensure against theft of aircraft.

Thank you for this opportunity to comment on options to enhance security of small civil aircraft. Please let me know if there is any further information about our company's operations or the foregoing comments that would facilitate your review of options. Cape Air wishes to be kept apprised of the proceedings to develop security recommendations or requirements, and respectfully requests to be notified of any further public comment opportunities.

Sincerely,

  
Daniel A. Wolf  
President